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SEC

SERVICE DATE - APRIL 7, 2000

SURFACE TRANSPORTATION BOARD

DECISION

STB Finance Docket No. 32000 (Sub-No. 12)

RIO GRANDE INDUSTRIES, INC., SPTC HOLDING, INC., AND THE DENVER AND RIO  
GRANDE WESTERN RAILROAD COMPANY  
— CONTROL —  
SOUTHERN PACIFIC TRANSPORTATION COMPANY  
(Arbitration Review)

Decided: April 5, 2000

By petition filed on March 30, 2000, the Southern Pacific Transportation Company, et al., (SP)<sup>1</sup> requests a 30-day extension of time, until May 10, 2000, to file an appeal of an interim arbitration award entered by a panel chaired by neutral member William Fredenberger, Jr. SP maintains that the interim award is ripe for review and states that it needs additional time to prepare an appeal of the award because the issues are important and complex and its counsel is involved in an ongoing trial. SP represents that the opposing party in the arbitration does not object to the extension.

SP has advised that neither the labor representative nor the carrier representative on the arbitration panel had signed the award as of the date of filing of its petition for an extension. SP thus indicates that it is requesting an extension even though it is not clear that the time for filing appeals has begun to run. The requested extension appears reasonable and will be granted. In granting the petition, the Board takes no position on the potential issue of whether the interim award is ripe for review.

It is ordered:

1. The petition for extension is granted, and SP's appeal is due by May 10, 2000.

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<sup>1</sup> Southern Pacific Transportation Company is now part of the Union Pacific Railroad Company.

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2. This decision is effective on its date of service.

By the Board, Vernon A. Williams, Secretary.

Vernon A. Williams  
Secretary